

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On April 18, 2006

TOWNSEND and TOWNSEND and CREW LLP

By: Mark T. Davis
Mark T. Davis



Attorney Docket No.: 022259-001010US

152 1645
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hideki Garren et al.

Application No.: 10/524,643

Filed: February 10, 2005

For: METHODS AND IMMUNE
MODULATORY NUCLEIC ACID
COMPOSITIONS FOR PREVENTING
AND TREATING DISEASE

Confirmation No.: 1611

Examiner: Unassigned

Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references in compliance with the requirements of 37 CFR §1.98(a)(2) are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the European application.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KLB:mtd
60749642 v1



Substitute for form 1449A&B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/524,643
				Filing Date	February 10, 2005
				First Named Inventor	Garren, Hideki
				Art Unit	1645
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	022259-001010US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AA	WO	01/51626	A2	07-19-2001			<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AB	LENERT, Petar et al.; "CpG Stimulation of Primary Mouse B Cells is Blocked by Inhibitory Oligodeoxyribonucleotides at a Site Proximal to NF- κ B Activation"; 2001, <u>Antisense & Nucleic Acid Drug Development</u> , Vol. 11, pp. 247-256.	<input type="checkbox"/>
	AC	YEW, Nelson S. et al.; "Reduced Inflammatory Response to Plasmid DNA Vectors by Elimination and Inhibition of Immunostimulatory CpG Motifs"; 2000, <u>Molecular Therapy</u> , Vol. 1, No. 3, pp. 255-262.	<input type="checkbox"/>
	AD	INVITROGEN: "pVAX1 (Catalog no. V260-20) version B 010124/25-0256, 1998, 15 pages.	<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.